

Mail Stop Interference
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Paper 1
Filed: April 18, 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

C. DOUGLASS THOMAS and ALAN E. THOMAS
Junior Party
(Patent Nos. 5,974,557, 6,216,235 & 6,487,668),

v.

JACK D. PIPPIN
Senior Party
(Application 10/464,482).

Patent Interference No. 105,802 (JL)
(Technology Center 2100)

DECLARATION – Bd.R. 203(b)¹

¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1 Part A. Declaration of interference

2 An interference is declared (35 U.S.C. § 135(a)) between the above-
3 identified parties. Details of the application(s), patent (if any), reissue
4 application (if any), count(s) and claims designated as corresponding or as not
5 corresponding to the count(s) appear in Parts E and F of this DECLARATION.

6 Part B. Judge managing the interference

7 Administrative Patent Judge Jameson Lee has been designated to
8 manage the interference. Bd. R. 104(a).

9 Part C. Standing order

10 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this
11 DECLARATION. The STANDING ORDER applies to this interference.

12 Part D. Initial conference call

13 A telephone conference call to discuss the interference is set for 2:00
14 p.m. on June 1, 2011 (the Board will initiate the call).

15 No later than four business days prior to the conference call, each party
16 shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd.
17 R. 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

18 A sample schedule for taking action during the motion phase appears as
19 Form 2 in the STANDING ORDER. Counsel are encouraged to discuss the
20 schedule prior to the conference call and to agree on dates for taking action. A
21 typical motion period lasts approximately eight (8) months. Counsel should be
22 prepared to justify any request for a shorter or longer period.

Part E. Identification and order of the parties

Junior Party

Named Inventors: C. DOUGLASS THOMAS, Campbell, California
ALAN E. THOMAS, Ocean City, New Jersey
Involved Patents: 5,974,557, ('557) issued October 26, 1999
Title: Method and system for performing thermal and power management for a computer
Patent: 6,216,235, ('235) issued April 10, 2001
Title: Thermal and power management for computer systems
Patent: 6,487,668, ('668) issued November 26, 2002
Title: Thermal and power management to computer systems
Assignee (all): None

Senior Party

Named Inventor: JACK D. PIPPIN, Portland, Oregon
Involved Application: 10/464,482, filed June 19, 2003
Title: Method and apparatus for programmable thermal sensor for an integrated circuit
Assignee: None

1 The senior party is assigned exhibit numbers 1001-1999. The junior party
2 is assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1); SO ¶ 154.2.1. The
3 senior party is responsible for initiating settlement discussions. SO ¶ 126.1.
4

5 Part F. Count and claims of the parties

6 Count 1

7 Claim 34 of Pippin's Application 10/464,482
8

9 The claims of the parties are:

10 Thomas: '557- 1-47
11 '235-1-54
12 '668-1-52
13 Pippin: 34

14 The claims of the parties which correspond to Count 1 are:

15 Thomas: '557- 1-47
16 '235-1-54
17 '668-1-52
18 Pippin: 34

19 The claims of the parties which do not correspond to Count 1, and therefore
20 are not involved in the interference, are:

21 Thomas: none
22 Pippin: none

23 The parties are accorded the following benefit for the Count:

24 Thomas: Application 08/262,754, filed June 20, 1994, now
25 Patent 5,752,011

1
2 Pippin: Application 08/636,024, filed April 19, 1996,
3 now Patent 7,216,064;
4
5 Application 08/401,473, filed March 9, 1995;
6
7 Application 08/124,980, filed September 21,
8 1993
9

10 Part G. Heading to be used on papers
11

12 The following heading must be used on all papers filed in this interference,
13 see SO ¶ 106.1.1:

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